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entitled to damages, such question could not be determined until after the commission had determined that the connection was necessary and had outlined the place and manner of effecting it.

5. Railroads—Connections—Traffic Facilities—Corporation Commission.—The State Corporation Commission has ample jurisdiction to establish rules governing the traffic relations between two intersecting railroads.

NORFOLK & W. RY. CO. *v.* STEGALL'S Adm'x.

June 20, 1907.

[57 S. E. 657.]

Trial—Instructions—Applicability of Evidence.—Where plaintiff's intestate was killed as he was walking for his own purposes over defendant's railroad bridge, and there was no proof that intestate was placed in a perilous situation by any act or omission of defendant, an instruction that one may not by his own negligence or want of proper care place another in a perilous situation, and, when sued for injuries resulting therefrom, put the burden on plaintiff to show that he acted with reasonable care, etc., was properly refused, as inapplicable.

[Ed. Note.—For cases in point, see Cent. Dig. vol. 20, Evidence, §§ 596-612.]